



Robert Greene Sterne
Edward J. Kessler
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbala
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Linda E. Alcorn
Robert C. Millonig
Donald J. Featherstone
Timothy J. Shea, Jr.
Michael V. Messinger
Judith U. Kim

Patrick E. Garrett
Jeffrey T. Helvey
Heidi L. Kraus
Eldora L. Ellison
Thomas C. Fiala
Albert L. Ferro
Donald R. Banowitz
Peter A. Jackman
Jeffrey S. Weaver
Kendrick P. Patterson
Vincent L. Capuano
Brian J. Del Buono
Virgil Lee Beaton
Theodore A. Wood
Elizabeth J. Haanes
Joseph S. Ostroff
Frank R. Cottingham
Rae Lynn P. Guest
Daniel A. Klein

Jason D. Eisenberg
Michael D. Specht
Andrea J. Kamage
Tracy L. Muller
Jon E. Wright
LuAnne M. DeSantis
Ann E. Summerfield
Aric W. Ledford
Helene C. Carlson
Cynthia M. Bouchez
Timothy A. Doyle
Gaby L. Longworth
Lori A. Gordon
Nicole D. Dretar
Ted J. Ebersole
Laura A. Vogel
Michael J. Mancuso
Bryan S. Wade
Aaron L. Schwartz

Shannon A. Carroll*
Wesley W. Jones*
Matthew E. Kelley*
Michelle K. Holoubek*
Marsha A. Rose*

Registered Patent Agents*
Karen R. Markowicz
Nancy J. Leith
Matthew J. Dowd
Katrina Yujian Pei Quach
Bryan L. Skelton
Robert A. Schwartzman
Teresa A. Colella
Victoria S. Rutherford
Simon J. Elliott
Julie A. Heider
Mita Mukherjee

Scott M. Woodhouse
Christopher J. Walsh
Liliana Di Nola-Baron
Peter A. Socarras
Jeffrey Mills

Of Counsel
Kenneth C. Bass III
Marvin C. Guthrie

*Admitted only in Maryland
*Admitted only in Virginia
*Practice Limited to
Federal Agencies

January 12, 2006

WRITER'S DIRECT NUMBER:
(202) 772-8774
INTERNET ADDRESS:
TDOYLE@SKGF.COM

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Mail Stop: Amendment

Re: U.S. Utility Patent Application
Application No. 09/925,640; Filed: August 10, 2001
For: **System, Method, and Computer Program Product for Valuating
Weather-Based Financial Instruments**
Inventors: Corby *et al.*
Our Ref: 1481.0130001/PEG/TAD

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Credit Card Payment Form (PTO-2038) in the amount of \$ 405.00 to cover:
\$ 180.00 Information Disclosure fees; and
\$ 225.00 Extension of time fees;
2. Petition for Extension of Time Under 37 C.F.R. 1.136(a);
3. Amendment and Reply Under 37 C.F.R. § 1.111;
4. First Supplemental Information Disclosure Statement (IDS);
5. Forms PTO-1449 (6 pages);
6. Copies of 41 accompanying documents (AJ1-AR1, AJ2-AR2, AJ3-AR3, AN3-AR3, AN4-AR4, AN5-AR5, and AN6-AR6); and
7. Return postcard.

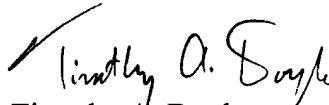
Commissioner for Patents
January 12, 2006
Page 2

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

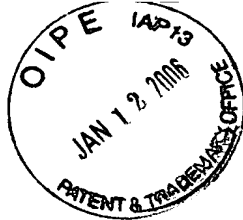
Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


Timothy A. Doyle
Attorney for Applicants
Registration No. 51,262

TAD/slw
Enclosures

408450_1.DOC



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Corby *et al.*

Appl. No. 09/925,640

Filed: August 10, 2001

For: **System, Method, and Computer
Program Product for Valuating
Weather-Based Financial
Instruments**

Confirmation No. 9356

Art Unit: 3624

Examiner: Patel, Jagdish

Atty. Docket: 1481.0130001/PEG/TAD

First Supplemental Information Disclosure Statement

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be

01/13/2006 HALI11 00000172 09925640

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prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☐ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.
- ☒ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
 - ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a

counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

☒ c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☒ 6. A concise explanation of the relevance of the non-English language document(s) appears below in accordance with 37 C.F.R. § 1.98(a)(3):
- Document AJ1 appears to teach a method for collecting data for sales management system.
- Document AK1 appears to teach a system for forecasting commodity sales number.
- Document AL1 appears to teach a commodity ordering quantity determining device.
- Document AM1 appears to teach an ordering prediction system.
- Document AJ2 appears to teach a sales controller.
- Document AK2 appears to teach a merchandise ordering determination device.
- Document AL2 appears to teach an optimum stocking prediction system.

Document AM2 appears to teach customer number/sales estimating device applying fuzzy inference.

Document AJ3 appears to teach merchandise sales data processing device.

Document AK3 appears to teach a commodity ordering device.

Document AL3 appears to teach a verifying method for logical circuit, logical design supporting device and logical circuit verifying system.


- ☒ 7. Copies of documents AJ1-AR1, AJ2-AR2, AJ3-AL3, AN3-AR3, AN4-AR4, AN5-AR5, and AN6-AR6 are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), no copies of U.S. patents and patent application publications cited on the attached Form PTO-1449 are submitted.
- ☐ 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
- ☒ 9. It is expected that the examiner will review the prosecution and cited art in the parent application no. 09/168,276, filed Oct. 8, 1998 (now U.S. Pat. No. 6,418,417) in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

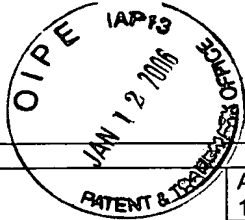
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


Timothy A. Doyle
Attorney for Applicants
Registration No. 51,262

Date: 12 JAN 06

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

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FORM PTO-1449

**FIRST SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT**ATTY. DOCKET NO.
1481.0130001/PEG/TADAPPLICATION NO.
09/925,640INVENTORS
Corby *et al.*FILING DATE
August 10, 2001ART UNIT
3624**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1	3,808,410	04/1974	Schlesinger			
	AB1	4,015,366	04/1977	Hall, III			
	AC1	4,218,755	08/1980	Root			
	AD1	4,642,775	02/1987	Cline <i>et al.</i>			
	AE1	4,766,539	08/1988	Fox			
	AF1	4,784,150	11/1988	Voorhies <i>et al.</i>			
	AG1	5,063,506	11/1991	Brockwell <i>et al.</i>			
	AH1	5,128,861	07/1992	Kagami <i>et al.</i>			
	AI1	5,128,862	07/1992	Mueller			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AJ1	01-236396	09/1989	JP			No
	AK1	01-259488	10/1989	JP			No
	AL1	02-268396	11/1990	JP			No
	AM1	02-299059	12/1990	JP			No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

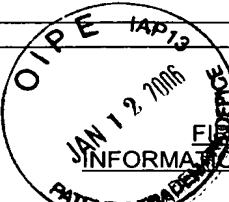
EXAMINER INITIAL	DOC. REF.	CITATION
	AN1	Best, D.L. and Pryor, S.P., <i>Air Weather Service Model Output Statistics System Project Report</i> , United States Air Force, Entire Report submitted (October 1983).
	AO1	Brennan, P.J., "Portfolio Managers Weather Global Risk Management Challenge," <i>Wall Street Computer Review</i> , Dealer's Digest, pp. 20-22, 24, 54 and 56 (October 1989).
	AP1	Cave, T., "Weather Service Is A Boon To System Dispatchers," <i>Transmission & Distribution</i> , Intertec, pp. 165-166 and 168-169 (August 1991).
	AQ1	<i>Demand Modeling & Forecasting System Product Description</i> , Printed from DIALOG File No. 256, 1 page (August 1984 - Product Release Date).
	AR1	<i>Down to Earth Sales Analysis 3.1 Product Description</i> , Printed from DIALOG File No. 256, 1 page (April 1989 - Product Release Date).

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

Page 2 of 6



FORM PTO-1449
FIRST SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO. 1481.0130001/PEG/TAD	APPLICATION NO. 09/925,640
INVENTORS Corby <i>et al.</i>	
FILING DATE August 10, 2001	ART UNIT 3624

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA2	5,130,925	07/1992	Janes <i>et al.</i>			
	AB2	5,140,523	08/1992	Frankel <i>et al.</i>			
	AC2	5,168,445	12/1992	Kawashima <i>et al.</i>			
	AD2	5,189,606	02/1993	Burns <i>et al.</i>			
	AE2	5,208,665	05/1993	McCalley <i>et al.</i>			
	AF2	5,237,496	08/1993	Kagami <i>et al.</i>			
	AG2	5,250,941	10/1993	McGregor <i>et al.</i>			
	AH2	5,253,165	10/1993	Leiseca <i>et al.</i>			
	AI2	5,253,181	10/1993	Marui <i>et al.</i>			

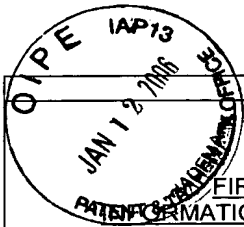
FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AJ2	04-077896	03/1992	JP			No
	AK2	04-135271	05/1992	JP			No
	AL2	04-353970	12/1992	JP			No
	AM2	05-189406	07/1993	JP			No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

EXAMINER INITIAL	DOC. REF.	CITATION
	AN2	Ehrenberg, A.S.C. <i>et al.</i> , "The After-Effects of Price-Related Consumer Promotions", <i>Journal of Advertising Research</i> , Advertising Research Foundation, Vol. 34, No. 4, pp. 11-21 (July/August 1994).
	AO2	Engle, R.F. <i>et al.</i> , "Modelling Peak Electricity Demand", <i>Journal of Forecasting</i> , John Wiley & Sons, Vol. 11, No. 3, pp. 241-251 (April 1992).
	AP2	Gagne, James, 'Fair-weather trends', May 1997, American Demographics, pp. 1-5.
	AQ2	http://www.bysb.com/sponsors/weathr.htm .
	AR2	Hurrell, M., "The Weather Business," <i>Intercity</i> , pp. 29, 31 and 32 (February 1991).

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	



FORM PTO-1449

FIRST SUPPLEMENTAL

PATENT INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.
1481.0130001/PEG/TADAPPLICATION NO.
09/925,640INVENTORS
Corby *et al.*FILING DATE
August 10, 2001ART UNIT
3624

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA3	5,283,865	02/1994	Johnson			
	AB3	5,295,064	03/1994	Malec <i>et al.</i>			
	AC3	5,295,069	03/1994	Hersey <i>et al.</i>			
	AD3	5,309,355	05/1994	Lockwood			
	AE3	5,377,095	12/1994	Maeda <i>et al.</i>			
	AF3	5,491,629	02/1996	Fox <i>et al.</i>			
	AG3	5,504,675	04/1996	Cragun <i>et al.</i>			
	AH3	5,521,813	05/1996	Fox <i>et al.</i>			
	AI3	5,712,985	01/1998	Lee <i>et al.</i>			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AJ3	06-076161	03/1994	JP			No
	AK3	06-149833	05/1994	JP			No
	AL3	09-128411	05/1997	JP			No
	AM3						No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

EXAMINER INITIAL	DOC. REF.	CITATION
	AN3	IMREX Demand Forecasting System Product Description, Printed from DIALOG File No. 256, 1 page (1984 - Product Release Date).
	AO3	Jensen, C. and Anderson, L. <i>Harvard Graphics: The Complete Reference</i> , Osborne McGraw-Hill, pp. 5, 16, 17, 126-129 and 737-747 (1990).
	AP3	<i>Microsoft Excel User's Guide</i> , Microsoft Corporation, pp. 280-281, 596-601 and 706-709 (1993).
	AQ3	<i>Microsoft Access User's Guide</i> , Microsoft Corporation, pp. 22-27, 36-39, 326-335, 370-372 and 395-447 (1992).
	AR3	Mitchell, R. <i>et al.</i> , "Where No Computer Has Gone Before: Massively Parallel Processing Promises Unparalleled Performance," <i>Business Week</i> , McGraw-Hill, pp. 80-84 and 88 (November 25, 1991).

EXAMINER

DATE CONSIDERED

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FORM PTO-1449 FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT		Page 4 of 6 ATTY. DOCKET NO. 1481.0130001/PEG/TAD INVENTORS Corby <i>et al.</i> FILING DATE August 10, 2001	APPLICATION NO. 09/925,640 ART UNIT 3624
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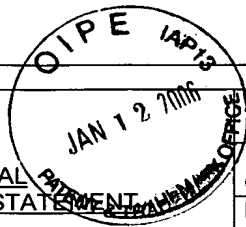
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA4	5,796,932	08/1998	Fox <i>et al.</i>			
	AB4	5,832,456	11/1998	Fox <i>et al.</i>			
	AC4	5,848,378	12/1998	Shelton <i>et al.</i>			
	AD4	5,855,006	12/1998	Huemoller <i>et al.</i>			
	AE4	5,983,200	11/1999	Slotznick			
	AF4	6,012,834	01/2000	Dueck <i>et al.</i>			
	AG4	6,018,640	01/2000	Blackman <i>et al.</i>			
	AH4	6,035,285	03/2000	Schlect <i>et al.</i>			
	AI4	6,067,525	05/2000	Johnson <i>et al.</i>			

FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AJ4						Yes No
	AK4						Yes No
	AL4						Yes No
	AM4						Yes No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)		
EXAMINER INITIAL	DOC. REF.	CITATION
	AN4	Rao, S.R.; Thomas, Edward G; Javalgi, Rajshekhar G., 'Activity Preferences and Trip-Planning Behavior of the U.S. Outbound Pleasure Travel Market', Winter, 1992, Journal of Travel Research, pp 1-12.
	AO4	<i>The Weather Initiative</i> , (Brochure), The Met Office, 23 pages (1990).
	AP4	'Urilicorp's Aquila energy to Greatly Expand it's Weather Hedging Products', Nov. 20, 1997, McGraw-Hill Publications, vol. 17, No. 1, p. 4.
	AQ4	wysiwyg://171/http://www.aquilaenergy.com/northamerica/about/.
	AR4	English-language Abstract of Japanese Patent Publication No. 01-236396, data supplied from the esp@cenet database, (September 21, 1989 - Date of publication of application).

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	

FORM PTO-1449 FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT		PATTY. DOCKET NO. 1481.0130001/PEG/TAD INVENTORS Corby <i>et al.</i> FILING DATE August 10, 2001	APPLICATION NO. 09/925,640 ART UNIT 3624
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U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA5	6,418,417	07/2002	Corby <i>et al.</i>			
	AB5	6,584,447	06/2003	Fox <i>et al.</i>			
	AC5	2002/0091692	07/2002	Yoshida <i>et al.</i>			
	AD5	2002/0194113	12/2002	Lof <i>et al.</i>			
	AE5	2003/0004780	01/2003	Smith <i>et al.</i>			
	AF5	2004/0215394	10/2004	Carpenter <i>et al.</i>			
	AG5	2004/0225556	11/2004	Willen <i>et al.</i>			
	AH5	2004/0230519	11/2004	Parker			
	AI5						

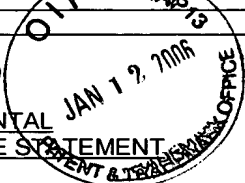
FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AJ5						Yes No
	AK5						Yes No
	AL5						Yes No
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

EXAMINER INITIAL	DOC. REF.	CITATION
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	AO5	English-language Abstract of Japanese Patent Publication No. 02-268396, data supplied from the esp@cenet database, (November 2, 1990 - Date of publication of application).
	AP5	English-language Abstract of Japanese Patent Publication No. 02-299059, data supplied from the esp@cenet database, (December 11, 1990 - Date of publication of application).
	AQ5	English-language Abstract of Japanese Patent Publication No. 04-077896, data supplied from the esp@cenet database, (March 11, 1992 - Date of publication of application).
	AR5	English-language Abstract of Japanese Patent Publication No. 04-135271, data supplied from the esp@cenet database, (May 8, 1992 - Date of publication of application).

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FORM PTO-1449 FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT			ATTY. DOCKET NO. 1481.0130001/PEG/TAD INVENTORS Corby <i>et al.</i> FILING DATE August 10, 2001	APPLICATION NO. 09/925,640 ART UNIT 3624
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U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA6						
	AB6						
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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AJ6						Yes No
	AK6						Yes No
	AL6						Yes No
	AM6						Yes No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

EXAMINER INITIAL	DOC. REF.	CITATION
	AN6	English-language Abstract of Japanese Patent Publication No. 04-353970, data supplied from the esp@cenet database, (December 8, 1992 - Date of publication of application).
	AO6	English-language Abstract of Japanese Patent Publication No. 05-189406, data supplied from the esp@cenet database, (July 30, 1993 - Date of publication of application).
	AP6	English-language Abstract of Japanese Patent Publication No. 06-076161, data supplied from the esp@cenet database, (March 18, 1994 - Date of publication of application).
	AQ6	English-language Abstract of Japanese Patent Publication No. 06-149833, data supplied from the esp@cenet database, (May 31, 1994 - Date of publication of application).
	AR6	English-language Abstract of Japanese Patent Publication No. 09-128411, data supplied from the esp@cenet database, (May 16, 1997 - Date of publication of application).

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.